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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner:
J. Kenneth Burkus et al.)	Jerry Cumberledge
)	
Application Serial No. 10/804,900)	Group Art Unit:
)	3733
Filed: March 19, 2004)	Attorney Ref. No.:
METHODS AND INSTRUMENTATION FOR)	MSDI-134/PC361.18
VERTEBRAL INTERBODY FUSION)	
)	October 31, 2006

RESPONSE TO NON-FINAL OFFICE ACTION

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

In response to the non-final Office Action dated July 31, 2006, please enter and consider the following remarks. No fees or extensions or time are believed due for consideration of the same. However, please provide any extensions of time necessary and charge any fees which may be due to Deposit Account No. 12-2424, but not to include any payment of issue fees.

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Response to non-final Office Action
 Application Serial No. 10/804,900
 Page 1 of 16

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**FAX COVER PAGE**

DATE: October 31, 2006

PAGES INCLUDING THIS PAGE: 18

TO: Examiner Jerry L. Cumberledge
COMPANY: Group Art Unit 3733FAX NUMBER: 571-273-8300
PHONE NUMBER:

FROM: Douglas A. Collier

DIRECT DIAL: (317) 238-6333
FAX NUMBER: (317) 636-1507

RE: Response to Office Action for U.S. Patent Application No. 10/804,900 to J. Kenneth Burkus, et al.

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

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TRANSMITTAL
FORM

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Total Number of Pages In This Submission

	Application Number	10/804,900
	Filing Date	March 19, 2004
	First Named Inventor	J. Kenneth Burkus, et al.
	Art Unit	3733
	Examiner Name	Jerry L. Cumberland
17	Attorney Docket Number	MSDI-134/PC361.18

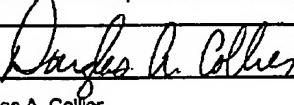
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Firm Name	Krieg DeVault LLP		
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